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) By: Michael F. Urbanski
) United States Magistrate Judge

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Express, Inc. ("Bolar") and AKJ Logistics LLC ("AKJ Logistics"). Further, Bolar was a predecessor to AKJ Enterprises which was owned by the same principals who owned AKJ Enterprises, namely Elson and Dionnie Bolar. AKJ Logistics was a successor to AKJ Enterprises and was also owned by Elson and Dionnie Bolar.

By Order entered March 13, 2008, the court directed Robinson to produce any electronic mail ("e-mail") pertaining to any trucking accidents or driver or licensing issues concerning Bolar, AKJ Logistics or AKJ Enterprises or any other entity for which a customer account exists with Robinson and which was owned or operated by Elson and/or Dionnie Bolar during the time period January 1, 1999 through December 31, 2005.

Robinson filed a motion for reconsideration and an affidavit from Tony York, manager of its IT Infrastructure Services, in support of the motion on March 24, 2008. According to York, restoration of the e-mails encompassed by the March 13 Order would require 4,667 man hours if done by Robinson or cost \$1,050,000 if Robinson outsources the restoration. York Aff. 2. In response, Jones noted a willingness to limit the request for e-mails to three specific time periods: September 30, 2003 through October 6, 2003, October 15, 2003 through January 9, 2004, and April 25, 2004 through May 5, 2004.

Jones also moved the court to compel production by Robinson of all T-Check records from the relevant time period in this matter.¹ Robinson argued that the production of all T-Check records would be overly burdensome and are not relevant to the underlying action in this matter. Robinson also agreed to stipulate to the frequency of the T-checks and the amount per check, a stipulation that Jones agreed upon.

¹ T-Checks are cash advances given to carriers in order to pay for expenses necessary for deliveries, such as gas, tolls, and the like.

For the reasons stated at the hearing, it is hereby **ORDERED** as follows:


1. Robinson shall produce the requested e-mail communications for the following time periods: September 30, 2003 through October 6, 2003, October 20, 2003 through October 27, 2003, and April 25, 2004 through May 5, 2005. Robinson shall produce these materials on or before 10:30 A.M., April 28, 2008.

2. Robinson shall stipulate to the frequency and amount of any relevant T-Checks.

3. The motion for sanctions is **DENIED** as moot at this point, as Robinson is not in violation of any court order in this matter.

The Clerk is directed to send copies of this Order to all parties.

Enter this 25th day of April, 2008.



Michael F. Urbanski
United States Magistrate Judge